

**DIVISION OF ENVIRONMENTAL HEALTH  
SOLID WASTE PROGRAM  
555 CORDOVA STREET  
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**Certified Mail # 7001 2510 0002 7772 9172  
Return Receipt Requested**

May 17, 2002

Mr. Carl Harmon  
Chugach Electric Association, Inc.  
P.O. Box 196300  
Anchorage, AK 99519-6300

Re: Chugach Electric Association, Beluga Power Plant Landfill – Solid Waste Permit No.  
9921-BA007

Dear Mr. Harmon:

The Department of Environmental Conservation has completed its evaluation of your request for a solid waste disposal permit at the Chugach Electric Association, Incorporated – Beluga Power Plant Landfill. The Department issues permit # **9921-BA007** in accordance with AS 46, 18 AAC 15, and 18 AAC 60. Please review the conditions and stipulations in the permit and ensure people who conduct waste disposal operations understand them. This permit is effective upon issuance and expires **May 17, 2007**.

A waiver is granted for the separation distance between the waste management area and the property lines (18 AAC 60.233). Please refer to Appendix B for the explanation about the waiver approval. Please be aware that waivers must be requested for each renewal application. This ensures that if any regulatory changes have been made between permitting sessions they can be adequately addressed and incorporated into permits.

Any person who disagrees with this decision may request an adjudicatory hearing in accordance with 18 AAC 15.200-310. Hearing requests must be delivered to the Commissioner of the Department of Environmental Conservation, 555 Cordova, Anchorage, Alaska 99501, within 30 days of receipt of this letter. If a hearing is not requested within 30 days, the right to appeal is waived. Even if an adjudicatory hearing has been requested and granted, all permit conditions remain in full force and effect.

Sincerely,

Leslie F. Simmons  
Solid Waste Program Coordinator  
Southcentral and Western Alaska

Enclosure: Permit certificate  
Permit # 9921-BA007

## APPENDIX A: CONDITIONS

The following documents are incorporated as part of the permit.

Chugach Electric Association, Inc., Beluga Power Plant, shall comply with the site design drawings and development plans submitted in the solid waste permit application, dated May 21, 1999, and addendum documents (provided by Chugach Electric Association, Inc.) dated January 13, 2000, April 6, 2001, and May 7, 2002, unless otherwise modified in this facility permit. In case of conflicting drawings or plans, the document dated last and closest to the date of permit issuance shall prevail.

If anything in the permit application, supplements or submittals conflict with requirements of Appendix A, Appendix C, or state laws, then the requirements of Appendix A, Appendix C and state laws take precedence.

### SITE CONDITIONS

Build the landfill as designed and in the planned location. If you want to make design changes, submit a change proposal in writing and wait for the Department's approval. *If the landfill is not built according to design or in the wrong location, the permit is invalid.*

Install and maintain the following signs:

Facility Entrance Sign:

**Facility Identification**  
**Owner/Operator Name**  
**Emergency Phone Numbers**

Facility Entrance Sign:

**Private Property**  
**NO SHOOTING**  
**Violators will be Prosecuted**

Maintain the 10' hurricane style chain link fence that surrounds the landfill to control and prevent access. Keep the gate locked when the landfill is not attended.

**OPERATIONS:** The Permittee shall:

Place waste at the higher elevations of the landfill, so that water will not be trapped on the uphill side of the waste.

Pump the water out, if necessary. If you create ponds or if the landfill floods, correct the drainage so that the water will run out. If flowing water causes erosion, correct the damage and fortify with rocks or sand bags, so that it will not erode again.

Open burning is limited to the designated burn pit and must comply with the appropriate Air Quality Control Regulations found in 18 AAC 50. If necessary, call the Nikiski – Beluga Fire Department to extinguish and/or control fires.

Ensure that loads of ash is covered during transportation from the incinerator to the landfill.

Prohibit and prevent the disposal of asbestos, polluted soil, polychlorinated biphenyl, explosives, radioactive waste, untreated medical waste, and Resource Conservation Recovery Act (RCR) hazardous waste at the landfill.

Report all discharges of hazardous substances that occur at the landfill facility per 18 AAC 75, Article 3, or as revised or amended. Clean up discharges of non-hazardous and hazardous liquids, package, and dispose of the cleaned up material as required per 18 AAC 75.

Trenches: Fill a rectangular trench from the narrow end. Cover at the time interval specified in the permit application. When the waste reaches ground level, cover with excavated soil. Compact and cover the waste as you continue to fill the length of the trench from the narrow end.

Area Fill: Working face size shall not exceed 8 ft. in height or 20 ft in length.

No surface on the landfill can be sloped steeper than 3 horizontal to 1 vertical.

Remove snow from active landfill disposal area to prevent ponding and deposit in an area away from the landfill waste cells.

#### **MONITORING, RECORDKEEPING, AND CORRECTIVE ACTIONS:**

Once per year, the supervising engineer must inspect the site to make sure the waste stays within property boundaries and waste is placed in the landfill in the proper sequence. Check to evaluate the need for intermediate or final cover over portions of the landfill.

Keep copies of the permit, closure and post-closure plans. Check them annually to make sure they still make sense.

Monthly visual inspections shall be conducted to monitor the site for signs of damage or potential damage from settling, ponding, erosion, and compliance with the permit conditions. Record the inspection results with the name of the inspector and date. Maintain the inspection results in the facilities files. These records must be made available for review upon request by the Department staff during inspections.

Fix any problems discovered during regular monitoring and annual inspections.

## **APPENDIX B: WAIVER**

The Chugach Electric Association requested a waiver of the regulation that requires a 50' separation distance between the waste management area and the property line (18 AAC 60.233). Your request indicates that you would experience financial losses due to reduction and limitation of available space for the disposal trenches. This limitation would prevent proper, efficient, and complete utilization of the facility's capacity, and therefore create a financial burden.

The Department approves your waiver based on the information you provided, which adheres to the regulatory requirements of 18 AAC 60.900. This regulation requires you to demonstrate that the cost to comply with the 50' separation distance would cost significantly more than the value of public health risk reduction, environmental benefit, and nuisance avoidance than could be achieved through the compliance with the separation distance.

## APPENDIX C: GENERAL CONDITIONS

### I. ACCESS AND INSPECTION

The permittee shall allow the Commissioner or his representative access to the permitted facilities at reasonable times to conduct scheduled or unscheduled inspections or tests to determine compliance with this permit, State laws, and regulations.

### II. INFORMATION ACCESS

Except for information relating to confidential processes or methods of manufacture, all records and reports submitted in accordance with the terms of this permit shall be available for public inspection at the State of Alaska, Department of Environmental Conservation, Solid Waste Program, 555 Cordova Street, Anchorage, AK 99501.

### III. CIVIL AND CRIMINAL LIABILITY

Nothing in this permit shall relieve the permittee from civil or criminal penalties for noncompliance, whether or not such noncompliance is due to factors beyond his control, including, but not limited to, accidents, equipment breakdowns, or labor disputes.

### IV. AVAILABILITY

The permittee shall keep Beluga Landfill records and permit at the Beluga Power Plant office.

### V. ADVERSE IMPACT

The permittee shall take all necessary means to minimize any adverse impacts to the receiving waters or lands resulting from noncompliance with any limitation specified in this permit, including any additional monitoring needed to determine the nature and impact of the noncomplying activity. The permittee shall clean up and restore all areas adversely impacted by the noncompliance.

### VI. CULTURAL OR PALEONTOLOGICAL RESOURCES

Should cultural or paleontological resources be discovered as a result of this activity, work which would disturb such resources is to be stopped, and the State Historic Preservation Office, Division of Parks and Outdoor Recreation, Department of Natural Resources, is to be notified immediately (907-269-8721).

### VII. APPLICATIONS FOR RENEWAL

In accordance with 18 AAC 15.100(d), applications for renewal or amendment of this permit must be made no later than 30 days before the expiration date of the permit or the planned effective date of the amendment.

### VIII. OTHER LEGAL OBLIGATIONS

The requirements, duties, and obligations set forth in this permit are in addition to any requirements, duties, or obligations contained in any permit that the Alaska Department of Environmental Conservation or the U.S. Environmental Protection Agency has issued or may issue to the permittee. This permit does not relieve the permittee from the duty to obtain any and all necessary permits and to comply with the requirements

contained in any such permit or with applicable state and federal laws and regulations. All activities conducted by the permittee pursuant to the terms of this permit and all plans implemented by the permittee pursuant to the terms of this permit shall comply with all applicable state and federal laws and regulations.

IX. POLLUTION PREVENTION

In order to prevent and minimize present and future pollution, when making management decisions that affect waste generation, the permittee shall consider the following order of priority options: waste source reduction; recycling of waste; waste treatment; and waste disposal.